

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LILA KATHLEEN MITCHELL,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 3:14-0570
)	Judge Trauger
WILLIAM B. LOCKERT, Public Defender,)	Magistrate Judge Brown
and STATE OF TENNESSEE,)	
)	
Defendants.)	

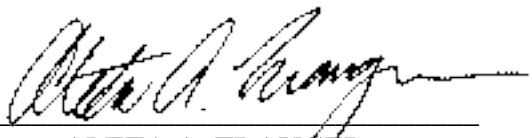
ORDER

On June 11, 2014, the Magistrate Judge issued a Report and Recommendation (Docket No. 25), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the Motion to Dismiss claim for punitive damages filed by the defendants (Docket No. 8) is **GRANTED**, and the plaintiff's claim for punitive damages in this case against both defendants is **DISMISSED**.

It is hereby **ORDERED** that this case shall be **RETURNED** to the Magistrate Judge for further handling under the original referral Order. The court notes that the *pro se* plaintiff has filed a Notice of Voluntary Dismissal (Docket No. 28); however, an Answer has been filed by the defendants (Docket No. 27), so the plaintiff may not unilaterally dismiss this case. Rule 41(a), Fed. R. Civ. P.

It is so **ORDERED**.

ENTER this 5th day of August 2014.



ALETA A. TRAUGER
U.S. District Judge